

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALICIA HOPPER,

07-CIV 8526(WHP)(THK)

Plaintiff,

-against-

AFFIDAVIT

BANANA REPUBLIC, LLC,
BANANA REPUBLIC, INC, and
THE GAP, INC,

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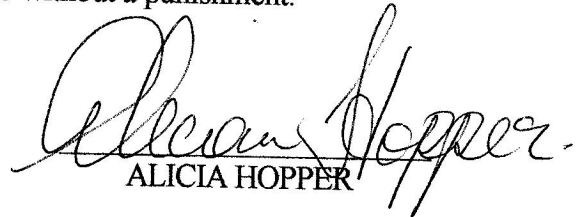
NEW YORK)
SS)
NEW YORK)

I, Alicia Hopper, being sworn, deposes and says;

- 1- I am the plaintiff in this action, am over eighteen (18) years of age and reside at 2363 Valentine Avenue, Bronx, New York 10458.
- 2- On or about July 10, 2007, I was at 2360 Broadway, New York, New York, as an auditor hired to audit merchandise.
- 3- On the abovementioned date, I was sexually harassed, assaulted and battered by defendant's employee Portella while working in the stock room of defendants' retail outlet located at the abovementioned location.
- 4- On July 10, 2007, I was scanning t-shirts in the defendants' abovesaid retail outlet when defendant's employee Portella rubbed his genitals and body against my buttocks and entire body while claiming to be putting t-shirts on a shelf located above me.

- 5- Despite my numerous protests and complaints, defendant's employee Portella continued to rub his genitals against my buttocks while I was working.
- 6- I complained to Portella as well as Ms. Mary about the Portella's outrageous, vulgar, offensive and unacceptable conduct.
- 7- Defendants' employee Ms. Mary witnessed the above events with Portella.
- 8- On another occasion, I felt something poking in my behind and turned to see Portella behind me with an erection through his pants. Despite my objections, he continued poking his genitals to my buttocks. The whole incident continued for a period of half an hour and one of the defendant's managers, a black woman, witnessed it. She did not do anything to stop the defendant's employee Portella other than coming to me and asking, "if I was okay" after everything was over.
- 9- As a result of defendants' actions I felt extremely humiliated, degraded, victimized and embarrassed and emotionally distressed.
- 10- As a result of the above incidents I was emotionally disturbed and required medical help. I am having frequent and severe headaches and stomachaches. I regularly have flashbacks of the incident, which make me feel dizzy.
- 11- I have been receiving therapy once a week at Sanctuary for families located at Hub Station, Bronx, NY 10455 since August 1, 2007 as a result of the emotional injuries that I sustained at the time of this incident.

- 12- Therapy consists of verbal Psychological evaluation in which I expressed my feelings for 1 one hour per week.
- 13- My physical safety was put in danger and I was emotionally disturbed. Due to the incident I am having difficulty in trusting people. I have a general feeling that I am going to be sexually harassed, assaulted and battered I am encountering sleeping problems, and my relationship with my husband has been adversely affected due to this incident. I am no longer intimate with my husband as I used to be prior to this incident.
- 14- I was advised by my attorneys that the defendants made a motion to dismiss my case. I respectfully request that I should be given my day in Court. Such an outrageous conduct should not be let go without a punishment.


ALICIA HOPPER

Sworn to before me on this
20th day of December, 2007



Notary Public, State of New York

ISMAIL S. SEKENDIZ
Notary Public, State of New York
No. 02SE6151705
Qualified in Kings County
Commission Expires August 21, 2010